

REMARKS:

All of the claims pending in the subject patent application have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicants regard as being their invention. More specifically, the Examiner has pointed out that the term "particle size" is unclear since it is unqualified with respect to the type of particle size since particle sizes exist as a distribution. The Examiner further noted that the specification at Paragraph 70 discloses that Applicants' distribution of particle size are assumed to be Gaussian.

On January 10, 2006, Alvin T. Rockhill, the Attorney for the Applicants, discussed this rejection with Examiner Jeffrey Mullis. It was agreed that the particle sizes called for in the claims are "mean" particle sizes. For instance, the last sentence in Paragraph 13 of the specification calls for the particle size to be a mean particle size. The first sentence in Paragraph 23 also calls for the particles to have a mean diameter of well less than 1 micron. During the telephone conversation it was also noted that the particle sizes were determined by light scattering to fit a Gaussian distribution. Examiner Mullis indicated that he believed that the remaining rejection under 35 U.S.C. §112, second paragraph, could be overcome by amending claim 1 to call for a "mean particle size as determined by light scattering". Claims 1, 6 and 7 have accordingly been amended in this manner.

It was also noted that claim 10 was dependent upon a canceled claim and was therefore unclear. To overcome this problem, claim 10 has been amended so as to be made to be dependent upon claim 1.

This amendment overcomes every remaining basis or rejection delineated in the final rejection. It is accordingly believed that the amendments made place all of the claims pending in

the subject patent application in a condition for allowance and such an allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alvin T. Rockhill". The signature is fluid and cursive, with the first name "Alvin" and last name "Rockhill" clearly distinguishable.

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